

3 FAM 2400 ASSIGNMENTS

3 FAM 2410 ASSIGNMENTS AND DETAILS

3 FAM 2411 POLICY

3 FAM 2411.1 General

*(TL:PER-317; 06-03/96)
(State Only)
(Applies to Civil Service Employees)*

To utilize to the fullest extent the skills and abilities of all employees, assignments and details will be made consistent with sound personnel management principles and regulations regarding promotion and internal placement (5 CFR 335).

3 FAM 2411.2 Assignment of Members of the Same Family

*(TL:PER-317; 06-03/96)
(State Only)
(Applies to Civil Service Employees)*

Employees related by blood or marriage cannot be assigned in the same organizational unit (as defined in 1 FAM 015.1) if one is:

- In a supervisory capacity over the other; or
- In a position to grant favored treatment to the other.

If a subsequent marriage results in this situation, one employee must be reassigned to a different organizational unit (5 CFR, Part 310) in order for both to remain in the employ of the Department.

3 FAM 2411.3 Details

(TL:PER-317; 06-03/96)
(State Only)
(Applies to Civil Service Employees)

- a. For purposes of this subchapter, a detail is the temporary assignment of an employee from the employee's regular position without formal transfer or change in employment or pay status. A detail may be made:
- Within the Department
 - To or from other Federal agencies
 - To International Organizations
 - To or from state and local governments, institutions of higher learning and non-profit organizations
 - To foreign governments

At the end of a detail the employee resumes performing the duties of the position of record, although a reassignment or other action can occur at this time.

- b. A detail will not change the individual's conditions of employment.

3 FAM 2412 DETAILS WITHIN THE DEPARTMENT

3 FAM 2412.1 Authority

(TL:PER-317; 06/03/96)
(State Only)
(Applies to Civil Service Employees)

- 5 U.S.C. 3341
- 5 CFR 300.301
- 5 CFR 317.903 (for SES)

3 FAM 2412.2 Eligibility for Detail

(TL:PER-317; 06/03/96)
(State Only)

(Applies to Civil Service Employees)

- a. All competitive service employees are eligible for detail after completing the 90-day time-after-competitive appointment requirement;
- b. Employees serving under Schedule A and B appointments are eligible for detail to competitive positions; and
- c. Excepted service employees, other than those serving under Schedule A or B appointments, may be detailed into competitive service positions only after approval by the Office of Personnel Management (OPM).

3 FAM 2412.3 Length of Detail

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- a. Details do not have regulated time limits, but are subject to the following restrictions:
 - (1) A detail to an established position at the same or lower grade level may be made without competition, but must be made in 120 day increments.
 - (2) A detail to an established position at a higher grade, or to one with greater promotion potential, may be made for up to 120 days without competition. Extensions beyond 120 days and temporary promotions of more than 120 days must be made through competition under the Merit Promotion Program. In computing the total time served on a detail for this purpose, all noncompetitive details and noncompetitive time limited promotions within the prior 12 month period must be counted.
 - (3) A detail to unclassified duties may be made without competition, but must be made in 120 day increments. A statement of duties must be prepared by the bureau and received by PER/CSP prior to the detail.
- b. Details to SES positions must be in accordance with 5 CFR 317.903 and must be approved in advance by the Executive Resources Board (ERB).

3 FAM 2412.4 Documenting Details

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- Details must be documented as required in the OPM Guide to Processing Personnel Actions, Table 14-B.
- Performance while on detail must be documented in accordance with 3 FAM 2820 .
- Termination of a detail may occur prior to the documented not-to-exceed date, if circumstance warrant.

3 FAM 2413 DETAILS TO OTHER AGENCIES

3 FAM 2413.1 Authority

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- a. Reimbursable details are authorized by 31 U.S.C. 1535.
- b. Nonreimbursable details are authorized by 22 U.S.C. 2685(a) in the following situations:
 - Pursuant to interagency agreements detailing a like number of employees between agencies in a fiscal year;
 - Any detail not exceeding one year; or
 - Not more than 15 employees (Foreign Service and Civil Service combined) detailed at any one time for a period between thirteen months and two years.
- c. Details not falling within the purview of 22 U.S.C. 2685(a) or 5 U.S.C. 3343 (details to international organizations) must be made on a reimbursable basis pursuant to Comptroller General decision B-211373 of March 30, 1985, unless they involve a matter relating to the Department's appropriation and will aid in accomplishing the purpose for which the appropriations were provided, or will have a negligible impact on the Department's appropriation.
- d. Details to the White House Office, the Executive Residence or the White House, the Office of the Vice President, the Domestic Policy Staff, and the Office of Administration and performing services which would otherwise be performed by an employee of such office must be reimbursable after

180 days in the fiscal year. (3 U.S.C. 112)

3 FAM 2413.2 Eligibility

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

All competitive service employees who have completed the 90-day time-after-competitive appointment requirement, and all excepted service employee are eligible for either reimbursable or non-reimbursable details, provided that they are not required by law to be engaged in work for which their salary was originally appropriated.

3 FAM 2413.3 Length of Detail

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- a. The length of a detail between agencies is determined by agreement between the agencies. There are no statutory limits on reimbursable details. Most nonreimbursable details are limited to one year by 22 U.S.C. 2685(a), although up to fifteen nonreimbursable details may be authorized at any one time for two year periods.
- b. Information on evaluating employee performance during a detail may be found in 3 FAM 2820 .

3 FAM 2414 DETAILS FROM OTHER AGENCIES

3 FAM 2414.1 Length of Detail

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

The length of reimbursable and nonreimbursable details from other agencies is negotiable between agencies. There are no time limits on the length of a reimbursable detail. However, the losing agency may have applicable restrictions.

3 FAM 2414.2 Eligibility

(TL:PER-317; 06/03/96)
(State Only)
(Applies to Civil Service Employees)

There are no restrictions on eligibility for details, with the exception of security requirements. Civil Service employees and uniformed military personnel from other agencies may be detailed to Civil Service positions in the Department.

3 FAM 2415 DETAILS AND TRANSFERS TO PUBLIC INTERNATIONAL ORGANIZATIONS

3 FAM 2415.1 Authority

(TL:PER-317; 06/03/96)
(State Only)
(Applies to Civil Service Employees)

- 5 U.S.C. 3343 and 3582.

3 FAM 2415.2 Policy

(TL:PER-317; 06/03/96)
(State Only)
(Applies to Civil Service Employees)

To maintain a positive program for the identification and detail (or transfer) of eligible employees to public international organizations in which the United States Government participates, when it is in the Department's best interest.

3 FAM 2415.3 Details

(TL:PER-317; 06/03/96)
(State Only)
(Applies to Civil Service Employees)

- a. An employee may be detailed to an international organization which requests such services, for a specified period not to exceed five years.
 - The Assistant Secretary for International Organizations may

approve an additional three years of service when the request is in the national interest.

- All time spent on successive details is considered in the aggregate and may not exceed a total of five years, except as provided above (see 5 CFR 352.306).
- b. The request for detail must be approved by the Executive Director of the employee's bureau and the Director of the Office of Civil Service Personnel Management (PER/CSP).

3 FAM 2415.4 Rights and Benefits During Detail

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- a. An employee detailed in accordance with 5 CFR 352, Subpart C, remains an employee for all purposes and retains the benefits attached to that status including life insurance, health insurance, retirement and leave. The employee's bureau is responsible for obtaining leave information while the individual is on detail.
- b. During a detail to an international organization, the employee shall be considered for all career ladder promotions for the position of record.
- If the employee's position is upgraded during the detail period, the employee must be promoted in the position.
 - The effective date of the promotion is the date the promotion would be effected if the employee were present.

3 FAM 2415.5 Transfers to International Organizations

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- An employee may transfer from the Department to accept temporary employment with an international organization.
- If the Department is in agreement with the transfer, the employee is eligible for reemployment rights.

- All employees of the Department are eligible for transfer to public international organizations except those identified in 5 CFR 352.307.

3 FAM 2415.6 Rights and Benefits for Transferred Employees

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

Employees who transfer to an international organization will retain their benefits in accordance with 5 CFR 352.309.

3 FAM 2416 ASSIGNMENT OF DEPARTMENT EMPLOYEES UNDER THE INTERGOVERNMENTAL PERSONNEL ACT (IPA)

3 FAM 2416.1 Authority

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

The Intergovernmental Personnel Act (IPA) of 1970, as amended;

- 5 U.S.C. 3371-3376

3 FAM 2416.2 Eligibility

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

The following are eligible for assignment under the IPA:

- (1) Any career, career-conditional, or nontemporary excepted service full-time employee whose tenure is equivalent to career or career-conditional.
- (2) An employee who has served under the program for four continuous years may not be sent on another assignment without

at least a 12 month return to duty. Successive assignments without a break of at least 60 calendar days will be regarded as continuous service.

- (3) An employee whose Federal career includes a total of six years service under IPA assignments is not eligible for additional IPA assignments. This provision may be waived by OPM upon the written request of the Secretary.

3 FAM 2416.3 Length of Assignment

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

An assignment may be made for a specified period not to exceed two years. The assignment may be extended for an additional period of two years when the Secretary of State (or designee) determines the extension to be of mutual benefit to the agencies concerned.

3 FAM 2416.4 Rights, Responsibilities and Benefits

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- a. Individuals on IPA assignments remain employees for all purposes and retain the benefits attached to that status.
- b. Employees may not earn less with a state or local government than their Federal salaries.
- c. Reduction-in-force provisions, and all other personnel provisions (transfer of function, reclassification, etc.) apply to employees while on assignment.
- d. The Intergovernmental Personnel Act does not exempt employees from coverage under the applicable standards of conduct provisions and conflict of interest laws.

3 FAM 2416.5 Termination of Agreements

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

An IPA agreement may be terminated:

- (1) An any time at the option of either participating organization;
- (2) By OPM, if the agreement is in violation of the IPA or regulations set forth in 5 CFR 334; or
- (3) By termination of employment with the original employer. The agreement will be terminated immediately, whether the employee has been assigned by detail or appointment.

3 FAM 2417 ASSIGNMENT OF INDIVIDUALS TO THE DEPARTMENT UNDER THE INTERGOVERNMENTAL PERSONNEL ACT (IPA)

3 FAM 2417.1 Authority

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- The Intergovernmental Personnel Act (IPA) of 1970, as amend-ed, and
- 5 U.S.C. 3371-3376

3 FAM 2417.2 Eligibility

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

To participate, an individual must have been a permanent, career employee of the organization for at least 90 days prior to entering into an IPA assignment agreement with the Department.

3 FAM 2417.3 Length of Assignment

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

An assignment may be made for a specified period not to exceed two years.

The appointment may be extended for an additional period of two years when the head of the losing organization (or designee) determines the extension to be of mutual benefits to the agencies concerned.

3 FAM 2417.4 Rights and Benefits

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

An individual assigned to the Department has the right to return to the position occupied prior to the assignment or to one of comparable pay, duties and seniority as that from which assigned.

3 FAM 2417.4-1 Details

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- a. A state or local government employee detailed to the Department remains a state or local government employee for most purposes. The employee is, however, subject to a number of provisions of law governing the ethical conduct of Federal employees.
- b. If the assignee is detailed to an unclassified position, the assignee continues to be paid directly by the state or local agency. If detailed to a classified position, the assignee is entitled to earn the basic rate of pay warranted by the Federal position. If the Federal basic rate of pay is more than the assignee's state or local salary, the Department must supplement the salary to make up the difference. The supplemental pay may be paid either directly to the employee or reimbursed to the state or local government. Supplemental pay cannot be paid in advance or in a lump sum.
- c. Normally, details will have the same work week and hours of duty as Department employees unless state or local law calls for a shorter work week than the Department's work week.
- d. State holidays will be observed by details in accordance with state or local laws and regulations.

3 FAM 2417.4-2 Temporary Appointment

(TL:PER-317; 06/03/96)

(State Only)

(Applies to Civil Service Employees)

- By statute, a state or local government employee may be given an excepted appointment for two years without regard to the provisions governing appointment in the competitive service.
- The appointment may be extended for not more than an additional two years.
- A state or local government employee is not eligible to enroll in the Federal Employee Health Benefit Program unless the appointment results in the loss of coverage under a state or local health benefits system.
- The appointee is not eligible for life insurance or Federal Retirement benefits.

3 FAM 2418 THROUGH 2419 UNASSIGNED